

### § 381.153

used in the preparation of the article shall, unless otherwise approved by the Administrator in specific cases, be such as may be used in the preparation of a poultry product. The article may be stored in, and distributed from, the edible products department if the article is properly identified.

(b) *Requirements applicable when prepared in an inedible products department.* When an article (including, but not being limited to, animal food) that is not for use as human food, is prepared in any part of an official establishment other than an edible products department (such part of the establishment being herein referred to as the "inedible products department"), the area in which such article is prepared shall be distinctly separated from all edible products departments. Poultry products and inedible products may be brought from any edible products department into any inedible products department, but no poultry product or inedible product may be brought from an inedible products department into an edible products department except that any such articles as are in sealed containers or are handled under conditions prescribed or approved by the Administrator in specific cases may be brought into an edible products department. Diseased carcasses or diseased parts of any carcass shall not be used in the preparation of any animal food unless they have been treated in the manner prescribed in § 381.95(a). Trucks or containers used for the transportation of poultry products or inedible products into an inedible products department shall be cleaned before being returned to or brought into an edible products department. Sufficient space shall be allotted and adequate equipment and facilities provided so that the preparation of the article does not interfere with the preparation of poultry products or the maintenance of the requisite sanitary conditions in the official establishment. The preparation of any such article shall be subject to supervision by an inspector.

(c) *Containers to be labeled.* The immediate container of any such article that is prepared in an official establishment shall be conspicuously labeled so as to distinguish it from human food. Such articles are also subject to the require-

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ments under the Federal Food, Drug, and Cosmetic Act.

### § 381.153 [Reserved]

## Subpart P—Definitions and Standards of Identity or Composition

### § 381.155 General.

(a) *Authorization to establish specifications.* (1) The Administrator is authorized to establish specifications or definitions and standards of identity or composition, covering the principal constituents of any poultry product with respect to which a specified name of the product or other labeling terminology may be used, whenever he determines such action is necessary to prevent sale of the product under false or misleading labeling. Further, the Administrator is authorized to prescribe definitions and standards of identity or composition for poultry products whenever he determines such action is otherwise necessary for the protection of the public. The requirements of this subpart are hereby found to be necessary for these purposes and standards are hereby established as set forth in this subpart.

(2) Where cooked poultry meat is specified in this subpart as an ingredient of poultry products, this means poultry meat derived from poultry processed, cooked, and cooled in a manner approved by the Administrator in specific cases without use of liquid or moisture in direct contact with the poultry meat following the cooking and cooling of the poultry.

(3) If, following cooking and cooling of poultry meat to be used in poultry products, liquid or moisture is used in direct contact with such poultry meat and the percentage of solids, excluding salt, in the poultry meat is found to be below 34 percent when such poultry meat is tested by acceptable methods, the percentage of poultry meat required by this section for any poultry product shall be increased in proportion to the deficiency, or the meat shall be so processed as to raise the solids content, excluding salt, to 34 percent. The official establishment shall furnish adequate facilities for such testing.